

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA * **CRIMINAL DOCKET NO. : 13-132**

v. * **SECTION: "I"**

SHANERA WASHINGTON-SYLVE *

* * *

FACTUAL BASIS

Should this matter have gone to trial, the Government would have proved, through the introduction of competent testimony and admissible tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the Defendant, **SHANERA WASHINGTON-SYLVE**. The Defendant has agreed to plead guilty to Count One of the Bill of Information alleging that she knowingly and willfully obtained by fraud and false statements, funds in the amount of \$23,196 provided from the Federal Pell Grant Program which is administered by the United States Department of Education (DOE), in violation of 20 U.S.C. § 1097(a).

DOE is an agency of the United States charged with the responsibility to operate, administer and regulate various federal student financial assistance programs. These programs offer financial assistance to eligible students pursuing post-secondary education at participating schools. The

Federal Pell Grant Program provides funding to assist eligible, needy students in meeting the cost of a post-secondary education. Federal Pell grants are considered financial assistance to students that have serious financial needs and require aid in order to be able to attend college. Federal Pell grants do not have to be repaid by the student recipient.

Students apply for financial aid under Title IV of the Higher Education Act of 1965, as amended, by submitting a Free Application for Federal Student Aid (FAFSA) form, either by mailing it or electronically transmitting it to a DOE processing center. The FAFSA contains basic information regarding a student's identity and economic status and is used to determine the student's eligibility to obtain federal financial aid funds.

Question 58 on the FAFSA asks: "Parent's marital status". If the applicant's parents are married at the time of the application, the applicant is required to report it. Question 86 on the FAFSA asks for the applicant's "father's/stepfather's income earned from work". If the applicant's father had earned income from work at the time of the application, the applicant is required to report it.

On or about February 14, 1998, the Defendant, **WASHINGTON-SYLVE**, was married to R.S. in Jefferson Parish, Louisiana. A certified copy of the Defendant's marriage certificate from the Jefferson Parish Clerk of Court would be offered as evidence at trial. The couple has remained married and currently live with their two daughters in Jefferson Parish, Louisiana. From August 2006 until December 2011, **WASHINGTON-SYLVE** was employed as a financial aid counselor at Delgado Community College. From May 2012 to March 2013, **WASHINGTON-SYLVE** worked as a financial aid counselor at Gretna Career College.

On or about March 23, 2009, **WASHINGTON-SYLVE** assisted her daughter, K.S., in filling out a Free Application for Federal Student Aid (FAFSA) form for the 2008-2009 academic year. Defendant also assisted K.S. in submitting the FAFSA for the 2009-2010 academic year, the 2010-2011 academic year, the 2011-2012 academic year, and the 2012-2013 academic year. The FAFSA forms were signed by both **WASHINGTON-SYLVE** and her daughter. Certified copies of each FAFSA that Defendant caused to be submitted on behalf of K.S. would be offered as evidence at trial.

For each FAFSA submitted, **WASHINGTON-SYLVE** instructed K.S. to claim **WASHINGTON-SYLVE** was single in response to Question 58 of the FAFSA. Defendant instructed K.S. not to identify R.S. as a household member, and to omit any information related to R.S.'s existence or his income in response to Question 86 of the FAFSA. Therefore, the DOE did not include Defendant's husband's income and/or assets in determining whether or not Defendant's daughter was eligible for Federal Pell Grant funds. Defendant knew that intentionally failing to identify R.S. as a household member and omitting his income from the FAFSA was a material false statement which would result in K.S. qualifying for federal financial aid. As a result of these omissions, all of the FAFSAs submitted on behalf of Defendant's daughter to the DOE were false, and caused Defendant's daughter to qualify for a total of \$23,196 in Federal Pell grants which she otherwise would not have been eligible to receive for the academic years 2008-2013. Once the FAFSAs were completed and submitted by Defendant and K.S., the Federal Pell grants were awarded and disbursed to K.S.'s student accounts at Delgado Community College and Southern University at New Orleans.

On or about September 13, 2012, Special Agent Michelle Bouziden of the United States Department of Education, Office of Inspector General, interviewed **WASHINGTON-SYLVE**. Defendant stated that she and her husband filed their federal tax returns separately, not jointly. She confirmed that her husband was employed and contributed to the household expenses. Defendant also confirmed that her husband is K.S.'s father. **WASHINGTON-SYLVE** admitted to investigators that she advised K.S. on how to fill out the FAFSA forms and to claim Defendant was single and to only list Defendant's income. **WASHINGTON-SYLVE** accepted full responsibility for making the false statements on the FAFSA forms, and agreed to pay the Pell grant funds back to the Government.

Both the Government and the Defendant, **SHANERA WASHINGTON-SYLVE**, do hereby stipulate and agree that the above facts set forth a sufficient factual basis for the crime to which the Defendant is pleading guilty and that the Government would have proven these facts beyond a reasonable doubt at trial.

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SHANERA WASHINGTON-SYLVE
Defendant (Date)